



PLANNING AND DEVELOPMENT

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Memorandum

To: Community Development Committee

From: Staff

Date: 1/9/20, referred to 2.11.2020

File ID: 20-0090

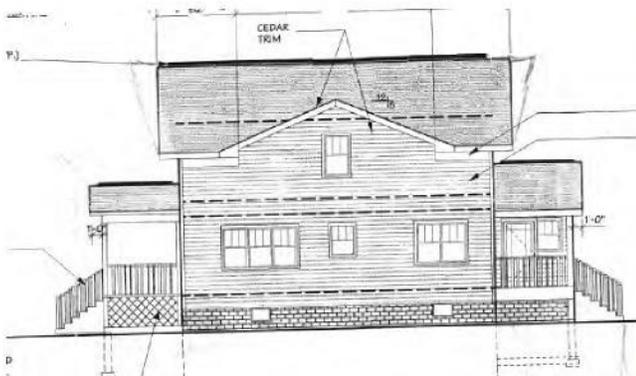
Re: Action on penalties to Good Faith Deposit

Update 2/11/20: Staff communicated with Example #1 in writing about the breach in meeting the architectural guidelines. The property owner (Example #1) stated that it was like a “slap in the face”, due to all the work that they had previously done for the City, but opted not to dispute the penalty. Staff is sending a letter to the second applicant, requesting that the changes be made. At this time in lieu of no Committee decision, staff recommends a standard deduction of \$500 per architectural category not met. However, this may be appealed to the Committee and this standard deduction will be an internal policy, not something advertised, published, or outlined in the developers agreement.

Previous Memo: 1/9/2020

Staff is seeking Committee’s input on assessing penalties to Buyer’s who do not comply to the architectural designs approved by the Committee and/or Staff. Below are examples of Buyers that did not execute the architectural enhancements in the same manner as the concept plans. The Real Estate Agreement allows the RHP to retain a portion of or all of their good faith deposit for not executing the approved house plans. What is the Committee’s opinion on if a financial penalty should be assessed to these Buyers? In what circumstances should a financial penalty be applied? Can a standard deduction be adopted for future offenders or does the Committee evaluate each circumstance?

Example #1: Concerns- The north facing façade was supposed to have a gable end built into the roofline. Builder advised that there was a miscommunication with their Truss Supplier and they did not provide the proper truss system. The Builder constructed a faux dormer to keep the project moving along in a timely manner. The faux dormer is underwhelming and does not provide the same architectural appeal as being built into the roof line.





Example #2: Concerns- Shakes are not a contrasting color as shown in the approved plans, porch does not have columns, window awnings do not have decorative elements (specifically relating to the corbels) as approved by the CDC.



Examples above provided at CDC meeting